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| Examiner-Initiated Interview Summary | Application No. 09/911,904 | Applicant(s) FARR ET AL. | |
| | Examiner Jeanine A. Goldberg | Art Unit 1634 | |

All Participants:
Status of Application: after non-final

 (1) Jeanine A. Goldberg.

(3) _____.

 (2) Janeen Vilven.

(4) _____.

Date of Interview: 2 May 2005
Time: ____

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

 Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

Claims discussed:

all

Prior art documents discussed:

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet
Part III.

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.


 (Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The examiner called to indicate Claim 54 would be subject to rejoinder, however, the claim was not in condition for allowance. The examiner suggested claim amendments which would be allowable.

Claim 52 was discussed to be direct to the complements of the recited sequences.

Claim 53 was discussed and the examiner suggested that the claims could be drawn to at least one of the sequences recited rather than requiring all of the sequences.

The examiner also indicated that claims of 45-46 could be amended to depend on the allowable claims.

The applicant submitted amendments to the claims on 5/10/05 and have been attached.

I hereby certify that this correspondence is being transmitted via facsimile to the U.S. Patent and Trademark Office (Fax No.: (571) 273-0743) on May 10, 2005


Janice Vilven Reg. No. 47,156

PATENT APPLICATION**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of
Spencer B. FARR *et al.*

Atty. Docket No.: 32058-1002

Appln. No.: 09/911 904

Group Art Unit: 1634

Filed: July 23, 2004
Conf. No.: 4189

Examiner: Jeanine Goldberg

Title: CANINE TOXICITY GENES

SUPPLEMENTAL AMENDMENT UNDER 37 C.F.R. §1.111

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

via facsimile to
(571) 273-0743

Dear Madam:

In supplemental response to the Office Action mailed August 10, 2004, and supplementing Applicants' amendment mailed February 9, 2005, please amend the referenced application without prejudice as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 4 of this paper.

IN THE CLAIMS:

The following listing of claims will replace all prior versions, and listings of claims in the application:

Listing of Claims:

Claim 1-44 (canceled)

Claim 45. (currently amended) The array according to claim 47-52 wherein the array contains a substrate for attaching nucleic acid molecules thereto.

Claim 46. (currently amended) The array according to claim 45 wherein the substrate is glass.

Claim 47. (withdrawn) An array comprising at least 10 nucleic acid molecules wherein the at least 10 nucleic acid molecules are SEQ. ID Nos.: 115-124.

Claim 48. (withdrawn) An array according to claim 47 wherein the array further comprises SEQ ID Nos.: 125-176, 179, 182, 185, 188, 191, 194, 197, 200, 203, 206, 209, 212, 213-384 and complements thereof.

Claim 49. (withdrawn) An array comprising partial gene sequences from toxicologically relevant canine genes comprising SEQ. ID Nos.: 115-124 and complements thereof.

Claim 50. (withdrawn) An array comprising a combination of partial gene sequences from toxicologically relevant canine genes comprising SEQ. ID Nos.: 116-118, 121 and 123 and complements thereof.

Claim 51. (withdrawn) An array according to claim 50 wherein the array further comprises SEQ. ID Nos.: 116, 119, 120, 122, 124-176, 179, 182, 185, 188, 191, 194, 197, 200, 203, 206, 209, 212, 213-384 and complements thereof.

Claim 52. (currently amended) An array comprising a combination of canine nucleic acid molecules comprising SEQ. ID Nos.: 116-118, 121 and 123 and the complements thereof, and consisting of SEQ ID No. 329 and the complements thereof.

Claim 53. (currently amended) An array as described in claim 52 wherein the array further comprises SEQ ID Nos.: 115, 119, 120, ~~124-179~~ 124-171, 179, 182, 185, 188, 191, 194, 197, 200, 203, 206, 209, 212, 213-328, ~~and the complements thereof~~ and SEQ ID Nos.: 330-329-384 and ~~the~~ complements thereof.

Claim 54. (currently amended) A method for ~~toxicity~~ detection of a ~~compound~~ nucleic acid in a canine sample, said method comprising:

- a) obtaining nucleic acids from a canine sample;
- b) contacting the nucleic acids of the canine sample with ~~an array~~ the array of claim 52 or 53 comprising ~~the combination of SEQ IDs of claim 53~~ under conditions to form one or more hybridization complexes;
and
- c) detecting said hybridization complexes; ~~and~~
- d) ~~comparing the levels of the hybridization complexes detected in step (c) with the level of hybridization complexes detected in a non-dosed sample, wherein the altered level of hybridization complexes detected in step (c) compared with the level of hybridization complexes of a non-dosed sample correlates with the presence of compound toxicity in the canine.~~

REMARKS

Claims 1-44 are cancelled. Claims 45-46 and 54 are rejoined. Claims 47-51 remain withdrawn from consideration by the Examiner. Claims 45-46, and 52-54 are currently pending. No new matter has been entered.

Applicant wishes to thank the Examiner for the Examiner Interview on May 2, 2005. During the Interview, rejoinder of claims 46 and 54 were discussed. Rejoinder of claim 45 as amended is also requested. Amendments to place claims 46 and 52-54 in condition for allowance were also discussed.

The Examiner's suggested modifications to the claims are herein adopted. Current amendments to the claims represent suggestions made by the Examiner which place the Application in condition for allowance.

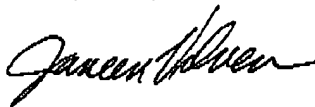
As requested by the Examiner, claim 53 is amended to clarify SEQ ID Nos derived from full length gene sequences from those which are not. Table 2 and 6 represent sequences identified from known genes. Table 7 and Table 8 contain sequences derived from genes which are not known to the public.

II. CLOSING

In view of the above, Applicant respectfully submits that independent claim 52 is patentable over the prior art. Claims 45-46 and 53-54 are patentable at least as being dependent from patentable independent claim 52 and are further patentable due to the additional elements recited therein.

The Director of the Patent and Trademark Office is authorized to charge any necessary fees, and conversely, deposit any credit balance, to Deposit Account No. 13-4213.

Respectfully submitted,



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